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Attorney for Plaintiff
Strike 3 Holdings, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

Strike 3 Holdings, LLC,)	CIVIL NO. 1:22-cv-00353-HG-KJM
)	
Plaintiff,)	MOTION FOR LEAVE TO FILE
)	UNREDACTED VERSIONS OF
vs.)	PLAINTIFF'S FIRST AMENDED
)	COMPLAINT, PROPOSED
John Doe Subscriber assigned IP)	SUMMONS AND RETURN OF
address 98.155.21.25,)	SERVICE UNDER SEAL
)	
Defendant.)	

**MOTION FOR LEAVE TO FILE UNREDACTED VERSIONS OF
PLAINTIFF'S FIRST AMENDED COMPLAINT, PROPOSED SUMMONS
AND RETURN OF SERVICE UNDER SEAL**

Plaintiff, Strike 3 Holdings, LLC ("Plaintiff") respectively moves for leave to file unredacted versions of its First Amended Complaint, Proposed Summons, and Return of Service under seal.

1. Plaintiff is the owner of award-winning, critically acclaimed adult motion pictures. Strike 3's motion pictures are distributed through the *Blacked*, *Tushy*, *Vixen*, *Tushy Raw*, *Blacked Raw*, and *Slayed* adult websites and DVDs.

2. Plaintiff recorded a number of infringing transactions emanating from IP address 98.155.21.25. Accordingly, this Court recently permitted Plaintiff to serve a subpoena on the Internet Service Provider ("ISP"), Spectrum, to discover the identity of the subscriber assigned IP address 98.155.21.25, the IP address used to download and distribute Plaintiff's works via the BitTorrent network.

3. After receiving the subpoena response, Plaintiff conducted a further investigation. Based on the investigation of the subscriber and publicly available resources, Plaintiff identified the subscriber as the true infringer/Defendant.

4. Although Plaintiff is aware of Defendant's identity, Plaintiff is sensitive to Defendant's privacy concerns. Moreover, Plaintiff has an interest in not allowing defendants and their counsel in these BitTorrent infringement actions involving adult works to make the assertion that Plaintiff is somehow "outing" defendants as having an interest in adult works as a means to drive settlement in these cases. Thus, Plaintiff believes that allowing Defendant to proceed anonymously serves the parties' interests.

5. Accordingly, on February 2, 2023, Plaintiff filed its First Amended Complaint in this matter, but Defendant's name and identifying information were redacted. This redacted information is central to Plaintiff's claim and includes the

Defendant's name, address, and additional factual information which Plaintiff alleges directly links the Defendant to the infringement in this case. Moreover, to proceed in this action, Plaintiff requires a Summons that will contain Defendant's name and address (and Plaintiff must file a Return of Service that will also list Defendant's name and address).

6. Thus, Plaintiff respectfully requests entry of an order permitting Plaintiff to file the following documents under seal so that it may include the Defendant's name, address, and/or other factual information that may identify Defendant but which is central to Plaintiff's claim: (1) an unredacted version of its First Amended Complaint; (2) an unredacted Summons; and (3) an unredacted Return of Service.¹

7. This Motion should be granted because in prior similar cases, courts around the country have entered protective orders precluding Plaintiff from publicly disclosing defendants' identifying information. In this respect, this case is no different from prior cases.

8. Because Defendant is not currently represented by counsel at this time and has not yet been served in this matter, Plaintiff was unable to confer with Defendant regarding the relief requested herein.

¹ The redacted First Amended Complaint was already filed on the public docket. If this Motion is granted, Plaintiff's Proposed Summons and/or Return of Service will both be filed in redacted form for the public docket as well as in unredacted form filed under seal.

9. None of the parties would be prejudiced by the granting of this request. In fact, the parties' interests (as set forth above) would be protected by granting this request.

WHEREFORE, Plaintiff respectfully requests entry of an order permitting Plaintiff to file its First Amended Complaint, Proposed Summons, and Return of Service under seal.

DATED: Honolulu, Hawaii, February 2, 2023.

/s/ Christian L. Kamau
CHRISTIAN L. KAMAU
Attorney for Plaintiff
Strike 3 Holdings, LLC